

[NM-060-1212-00, 606]

Notice of Intent To Prepare Ft. Stanton Management Framework Plan Amendment (MFPA); Roswell District, NM

AGENCY: Bureau of Land Management (BLM), Roswell District, New Mexico.

ACTION: Notice of intent and invitation to participate in a plan amendment/environmental assessment to address the impacts of a competitive bid vegetative sale of forage resources by livestock grazing at Ft. Stanton, New Mexico.

SUMMARY: The BLM will prepare a Management Framework Plan Amendment/Environmental Assessment for the purpose of addressing the impacts of a vegetative sale using livestock grazing on approximately 20,932 acres on Ft. Stanton. Ft. Stanton is located six miles west of the village of Lincoln in Lincoln County, NM.

DATES: Written comments regarding the planning issues to be addressed in this plan amendment and the planning criteria to be used must be submitted on or before June 12, 1995. Written comments will be employed to obtain public input into the planning process. This method will be to receive public comments from the public in response to this Notice of Intent.

ADDRESSES: Comments should be sent to the District Manager, at the Bureau of Land Management, Roswell District Office, 1717 West 2nd Street, Roswell, NM 88201-2019, or the Area Manager, at the Roswell Resource Area Office, Federal Building, 5th and Richardson, P.O. Drawer 1857, Roswell, NM 88202-1857.

FOR FURTHER INFORMATION CONTACT: Timothy R. Kreager, Area Manager, Roswell Resource Area, P.O. Drawer 1857, Roswell, NM 88202-1857; telephone (505) 624-1790.

SUPPLEMENTARY INFORMATION:

Description of the Proposed Planning Action: The proposed action is to amend the Ft. Stanton MFPA for the purpose of allowing a vegetative sale for livestock grazing of the forage resources through a competitive bid process by private interest on the public lands within the Ft. Stanton.

Types of Issues Anticipated

1. Allocation of the grazing privileges under Section 15 of the Taylor Grazing Act.
2. Impacts of livestock grazing to riparian areas and to threatened and endangered species.

Planning Criteria to Guide Development of the Planning Action

The following planning criteria were identified to help guide the resolution of the issues.

1. The proposed action must comply with laws, executive orders and regulations.
2. Evaluate and consider long term benefits to the public in relation to short term benefits.
3. In each planned action, resource outputs must be reasonable and achievable.
4. Planned actions will sustain the productivity and diversity of natural systems.
5. The BLM will use an interdisciplinary approach to land management.
6. Planned actions will contribute to or sustain the health of the land. Monitoring will be used to assess the effect of the management actions.

As new information becomes available during the planning process or through public participation, additional criteria may be developed for future guidance of this planning effort.

Disciplines to be Represented on the Interdisciplinary Team: The planning amendment/environmental assessment will be prepared by an interdisciplinary team consisting of a wildlife biologist, rangeland management specialist, recreational planner, surface protection specialist, and an environmental coordinator.

Kind and Extent of Public Participation Activities to be Provided

A press release will be sent to the local newspapers informing the public in the area of the proposed planning action.

Location and Availability of Documents Relevant to the Planning Process

Pertinent information is available at the BLM Roswell Resource Area Office in the Federal Building at 5th and Richardson, Roswell, NM 88202 and is subject to public review on weekdays from 7:45 a.m. to 4:30 p.m.

Dated: May 4, 1995.

Michael L. Menge,

Acting District Manager.

[FR Doc. 95-11476 Filed 5-9-95; 8:45 am]

BILLING CODE 4310-FB-M

[NM-931-05-1210-00-P (605)]

Establishment of Visitor Restrictions for Designated Recreation Sites, Special Recreation Management Areas, and Other Public Land in the Roswell District, New Mexico

AGENCY: Bureau of Land Management (BLM), Interior.

ACTION: Notices of Establishment of Visitor Restrictions for Designated Recreation Sites, Special Recreation Management Areas and Other Public Lands in the Roswell District, New Mexico.

SUMMARY: The Roswell District, Bureau of Land Management (BLM), hereby establishes visitor restrictions for use of those public lands within the Roswell District, New Mexico. These visitor restrictions are necessary for the management of actions, activities and use of public lands, including those which are acquired or conveyed to the BLM.

EFFECTIVE DATE: May 10, 1995.

ADDRESSES: Any suggestions or inquiries should be addressed to the District Manager, Roswell District Office, 1717 West 2nd, Roswell, New Mexico 88201, Telephone: (505) 627-0272, during normal business hours (7:45 a.m. to 4:30 p.m., MST) at the above address.

FOR FURTHER INFORMATION CONTACT: Paul Happel, Natural Resource Specialist, BLM, Roswell District Office, 1717 West 2nd Rosewell, New Mexico 88201, Telephone: (505) 627-0203.

SPECIFIC COMMENTS: A proposed "establishment of visitor restrictions for designated recreation sites, special recreation management areas, and other public lands in the Roswell District, New Mexico" was published in the **Federal Register** on January 24, 1995, (60 FR No. 15) and provided for a 30-day public comment period that ended February 23, 1995. One letter was received from Gun Owners of America, which contained numerous specific comments. One of the comments urged the BLM to extend the public comment period to 60 days. The BLM Roswell District believes that a 30-day public comment period was adequate for this notice. Another comment stated that the rule as it is related to firearms is vague and will infringe upon Second Amendment rights of law abiding citizens. The BLM Roswell District believes the notice adequately describes firearms under the definition of a weapon. Another comment stated the rule would unduly interfere with the right of self defense. The BLM Roswell District believes that under state law,

self defense of one's life would not preclude a person from protecting themselves. Another comment stated the rule would require someone to get a written permit (in advance) in order to discharge a firearm within ½ mile of a developed recreation site. Based on this comment, the BLM Roswell District has changed the wording on the visitor restriction of discharge of firearms from ½ mile to 150 yards. This change corresponds with State law and other Federal agencies proving for public safety. Another comment stated the regulation does not contain a clear definition of what a developed recreation site and area is. The BLM Roswell District believes that a "developed recreation site and area" has been adequately described in the Definitions and in the proposed **Federal Register** notice. The definition is also described in the Code of Federal Regulations 43 CFR 8360.0-5 (C). Another comment recommended that the regulation be redrafted and tightened to focus on conduct which poses a danger. It goes on to state that the rule would restrict the discharge of firearms in recreation areas. The BLM under Rules of Conduct of Federal Regulations 43 CFR 8365.2-5 (A), states on developed recreation sites and areas, unless otherwise authorized, "No person shall: (a) Discharge or use firearms, other weapons or fireworks". Another comment objected to the breadth of the conditions under which use of a firearm is banned, such as long guns being broken down or other-wise rendered inoperable and should be stored out-of-site. The BLM Roswell District has shortened the wording to read: "Using weapons in violation of State laws within developed campsites or picnic areas". Another comment stated that the commentator is concerned that if an individual uses a firearm while being attacked they would be arrested. The BLM Roswell District believes that self protection of one's life is established by State laws and that this restriction would not preclude a person from protecting his/her life.

SUMMARY: The proposed restrictions are necessary for the management of actions, activities, and use on public lands, including those which are acquired or conveyed to the BLM. The making of Rules of Conduct is provided for under Title 43 CFR Subpart 8365. These proposed regulations establish rules of conduct for the protection of persons, property, and public land resources. As a visitor to public lands, the user is required to follow certain restrictions designed to protect the lands and the natural environment, to

ensure the health and safety of visitors, and to promote a pleasant and rewarding outdoor experience. This notice supersedes previous notices published in the **Federal Register** on January 22, 1991, (Vol. 56, No. 14), and correction to Supplementary Rules No. 2., dated February 1, 1991, Vol. 56, No. 28, establishing Supplementary Rules for Designated Recreation Sites; Special Recreation Management Areas and Other Public Lands in New Mexico. More specifically, the purpose falls into the following categories:

- **Implementation of Management Plans**—Certain prohibited activities have been recommended as Restrictions for designated recreation sites and Special Recreation Management Areas (SRMA's). In order to implement these recommendations, they must be published as specific prohibited acts in the **Federal Register**. Use of Rules of Conduct Section of 43 CFR, Subpart 8365, is the most appropriate way of implementation. Rationale for these recommendations is presented in its entirety in the Carlsbad Resource Management Plan, the Roswell Management Framework Plan or Recreation Management Plan for the specific areas.

- **Mitigation of User Conflict**—Certain other visitor restrictions are recommended because of specific user conflict problems. Prohibiting the reservation of camping space in developed campgrounds will allow such space to be available on a first-come-first-served basis. This will prevent people from monopolizing the use of limited developed camping space. Prohibition of motorized vehicle free-play (operation of any 2-, 3-, or 4-wheel motor vehicle for purposes other than accessing a campsite) is recommended to minimize the noise and nuisance factors that such activities represent in developed recreation sites.

- **Public Health and Safety**—The erection and maintenance of unauthorized toilet facilities or other containers for human waste on the public land could represent a major threat to public safety and health. Toilet structures may be permitted by the authorized officer on a case-by-case basis and only when appropriate State and local permits have been obtained. It should be noted that shooting restrictions recommended do not prohibit legitimate hunting activities except within 150 yards of developed sites. Recreational shooters will be encouraged to use public land where such shooting restrictions do not apply and this use does not significantly conflict with other uses.

- **Complementary Rules**—Some restrictions, such as parking or camping near water sources, are recommended to compliment those of State and local agencies. Because these restrictions provide for the protection of persons and resources in the interest and spirit of cooperation with the responsible agencies, these restrictions are deemed necessary.

DEFINITIONS: As used in these visitor restrictions, the term:

- SRMA** means an area where special or more intensive types of resource and user management are needed.
- A developed recreation site and area** means sites and areas that contain structures or capital improvements primarily used for recreation purposes by the public. Development may vary from limited development for protection of the resources and the safety of users to a distinctly defined site in which developed facilities that meet the Land and Water Conservation Funds Act of 1965 (as amended) criteria for a fee collection site are provided for concentrated public recreation use.
- Public lands** means any lands, interest in lands, or related waters owned by the United States and administered by the BLM. Related waters are waters which lie directly over or adjacent to public lands and which require management to protect federally administered resources or to provide for enhanced visitor safety and other recreation experiences.
- Camping** means the erecting of a tent or shelter of natural or synthetic material, preparing a sleeping bag or other bedding material for use, or the parking of a motor vehicle, motor home, or trailer for the apparent purpose of overnight occupancy. Occupying a developed camp site or an approved location within developed recreation areas and sites during the established night period of 10:00 p.m. to 6:00 a.m. will be considered overnight camping for fee collection and enforcement purposes.
- Campfire** means a controlled fire occurring outdoors for cooking, branding, personal warmth, lighting, ceremonial, or aesthetic purposes.
- Abandonment** means the voluntary relinquishment of control of property for longer than a period specified with no intent to retain possession.
- Administrative activities** means those activities conducted under the authority of the BLM for the purpose of safeguarding persons or property, implementing management plans and policies developed in accordance and consistent with regulations or repairing or maintaining facilities.

- Pet* means a dog, cat, or any domesticated companion animal.
- Occupancy* means the taking or holding possession of a camp site, other location, or residence on public land.
- Vehicle* means any motorized or mechanized device, including bicycles, hang gliders, ultra lights, and hot air balloons which is propelled or pulled by any living or other energy source, and capable of travel by any means over ground, water, or air.
- Authorized Officer* means any employee of the BLM who has been delegated the authority to perform under Title 43.
- Stove fire* means a fire built inside an enclosed stove or grill, a portable brazier, or a pressurized liquid or gas stove, including space-heating devices.
- Weapon* means a firearm, compressed gas or spring-powered pistol or rifle, bow and arrow, crossbow, blowgun, spearguns, slingshot, irritant gas device, explosive device, or any other implement designed to discharge missiles or projectiles; hand-thrown spear, edged weapons, nun-chucks, clubs, billy-clubs, and any device modified for use or designed for use as a striking instrument; includes any weapon the possession of which is prohibited under New Mexico law.
- Historic or prehistoric structure or ruin site* means any location at least 50 years old which meets the standards for inclusion on the National Register of Historic Places as defined in 36 CFR 60.4, without regard to whether the site has been nominated or accepted.

Visitor Restrictions—ALL PUBLIC LANDS: In addition to regulations contained in 43 CFR 8365.1, the following visitor restrictions apply to all public lands, including those lands acquired or conveyed to the BLM, and related waters. The following are prohibited unless authorized by written permit:

Sanitation

- To construct or maintain any pit toilet facility.
- The dumping or disposal of sewage or sewage treatment chemicals from self-contained or containerized toilets, except at facilities provided for that purpose.
- To shower or bathe at any improved or developed water source, outdoor hydrant pump, faucet or fountain, or restroom water faucet unless such water source is designated for that purpose.

Occupancy and Use

- To camp or occupy any site on public lands or any approved location, including those in developed recreation areas and sites or SRMA's, for a period longer than 14 days within any period of 28 consecutive days. Exceptions, which will be posted, include areas closed to camping and areas or sites with other designated camping stay limits. The 28-day period begins when a camper initially occupies a specific location on public land. The 14-day limit may be reached either through a number of separate visits or through 14 days of continuous occupation. After the 14th day of occupation, campers must move beyond a 25-mile radius from the previous location. When a camping limit has been reached, use of any public land site within the 25-mile radius shall not occur again until at least 30 days have elapsed from the last day of authorized use.
- To park any motor vehicle for longer than 30 minutes, or camping within 300 yards of any spring, man-made water hole, water well, or watering tank used by wildlife or domestic stock.
- To dispose of any burning or smoldering material except as sites or facilities provided for that purpose.
- Unauthorized cutting, removing, or transporting woody materials including, but not limited to:
 1. Any type of variety of vegetation (excluding dead and downed),
 2. Fuelwood or firewood, either green or standing deadwood or,
 3. Live plants (except for consumption, medicinal purposes, study or personal collection).
- Removing or transporting any mineral resources including, but not limited to, rock, sand, gravel, and minerals on or from public lands without written consent, proof of purchase, or a valid permit. Collection of specimens and samples in reasonable amounts for personal noncommercial use, under 43 CFR 8365.1–5(b) is not affected by this section.
- Collection or removal of any natural resource, including wood for campfires, where such restrictions are posted.
- Failure to prevent a pet from harassing, molesting, injuring, or killing humans, wildlife or livestock.
- Violation of the terms, stipulations, or conditions of any permit or use authorization.
- Failure to show a permit or use authorization to any BLM employee upon request.
- Camp or occupy or build any fire on, or in, any historic or prehistoric structure or ruin site.

- Competitive or commercial operations or events without a Special Recreation Permit.

Vehicles

- Operation of an off-road vehicle without full-time use of an approved spark arrester and muffler.
- Failure or display the required State off-road vehicle registration.
- Lubricating or repairing any vehicle, except repairs necessitated by emergency.
- Operate, park, or leave a motorized vehicle in violation of posted restrictions or in such a manner or location as to:
 1. Create a safety hazard,
 2. Interfere with other authorized users or uses,
 3. Obstruct or impede normal or emergency traffic movement,
 4. Interfere with or impede administrative activities,
 5. Interfere with the parking of other vehicles, or
 6. Endanger property or any person.

Public Health and Safety

- Possession or use of fireworks.
- Leaving a campfire unattended, or failing to completely extinguish a fire after use.
- The sale or gift of an alcoholic beverage to a person under 21 years of age.
- The possession of an alcoholic beverage by a person under 21 years of age.
- Ignite or burn any material containing or producing toxic or hazardous material.
- Carrying of concealed weapons.

State and Local Laws

- Failure to comply with all applicable State of New Mexico regulations for boating safety, equipment, and registration.

Visitor Restrictions—DEVELOPED RECREATION SITES/AREAS AND SPECIAL RECREATION MANAGEMENT AREAS: In addition to the regulations contained in 43 CFR 8356.1, 8365.2 and those listed above, the following visitor restrictions will be applied in accordance with 43 CFR 8365.2: The following activities are prohibited unless authorized by written permit:

- Failure to immediately remove and dispose of in a sanitary manner, all pet fecal material, trash, garbage or waste created.
- Failing to physically restrain a pet at all times within developed campsite and picnic areas. Pets are prohibited from entering caves all designated nature or interpretive trails where

posted. Animals trained to assist handicapped persons are exempt from this rule.

- Reserving camping space, except at group facilities. Camping space is available on a first-come-first-served basis.
- Failure to maintain quiet between the hours of 10:00 p.m. to 6:00 a.m. or other hours posted. During this period no person shall create noise which disturbs other visitors.
- More than two motorized vehicles and/or 10 individuals at any one approved site not designated for group use or parking area. Groups exceeding these limits must use a group site or additional designated sites.
- Vehicles off of existing or designated roads and trails unless facilities have been specifically provided for such use. Motorized vehicles will be operated for access to and from developed facilities only.
- To park in or occupy a parking space posted or marked for handicapped use without displaying an official identification tag or plate.
- Posting or distribution of any signs, posters, printed material, or commercial advertisements.
- The discharge of firearms or other weapons, hunting and trapping within 150 yards of developed recreation sites and areas.
- Using weapons in violation of State law within developed campsites or picnic areas.
- Disposing of any waste or grey water except where facilities are provided.
- Bringing equine stock, llama, cattle, or other livestock within campgrounds or picnic areas unless facilities have been specifically provided for such use.
- Gathering or collecting woody plants or any other natural resource, minerals, cultural, or historical artifacts that require permits.
- Cutting or gathering of green trees or their parts or removal of down or standing dead wood for any purpose.
- Not adhering to fire danger ratings issued by government.
- Entering the following caves from October 15 to March 31 of each year: Fort Stanton, Torgac, Torgac Annex, Crockett, Crystal, Big-Eared Cave, Bat Hole, Malpais Madness, Tres Ninoc and Feather. Only personnel engaged in authorized scientific bat studies, census, monitoring, and emergencies will be allowed to enter caves during this time, due to bat hibernation.
- Entering a cave without each person wearing a safety helmet (hard hat) with chin strap and at least three sources of light.
- Annoying or disturbing bats at any time.

List of Developed Recreation Sites/ Areas and Special Recreation Management Areas:

1. Valley of Fires Recreation Area (Roswell Resource Area)
T. 7 S., R. 10 E.,
sec. 29, 30.
2. Fort Stanton (Roswell Resource Area)
T. 9, 10 S., 14, 15 E.
3. Mescalero Sands North Dune SMRA (Roswell Resource Area)
T. 10 S., R. 30 E.,
sec. 34, 35.
4. Cave SRMA's—McKittrick Hill, Lost, Fence Canyon, Manhold, Yellowjacket/Lair, Chosa Draw, Mudgetts, Honest Injun, KFF Caverns, Fort Stanton Cave, Torgac Cave, and Crockett's Cave
5. Dark Canyon SRMA (Carlsbad Resource Area)
T. 24 S., R. 23, 24 E.
6. Lonesome Ridge SRMA (Carlsbad Resource Area)
T. 26 S., R. 22 E.,
sec. 19–21, 29–31.
7. Pecos River Canyon Complex (Carlsbad Resource Area)
T. 24, 25 S., R. 29, 30 E.
8. Guadalupe Escarpment Scenic Area (Carlsbad Resource Area)
T. 23–26 S., R. 22–26 E.
9. Alkali Lake Off-road Vehicle Area (Carlsbad Resource Area)
T. 21 S., R. 27 E.,
sec. 4, 5, 9.
10. Hackberry Lake Off-road Vehicle Area (Carlsbad Resource Area)
T. 18–20 S., R. 30, 31 E. 11. Pecos River Corridor (Carlsbad Resource Area)
T. 22 S., R. 27 E., river section to
T. 26 S., R. 29 E.
12. Chosa Draw SRMA (Carlsbad Resource Area)
T. 25 S., R. 25 E.,
sec. 20–22, 27–29, 33.
13. Overflow Wetlands (Roswell Resource Area)
T. 11, 12 S., R. 25, 26 E.

SUPPLEMENTARY INFORMATION: The Roswell District Manager is establishing these visitor restrictions, which are necessary for the protection of persons, property, and public lands and resources currently under the Bureau's administration within the Roswell District, New Mexico and those lands acquired for inclusion within the administrative jurisdiction of the BLM as provided for in 43 CFR 8365.1–6. These Visitor Restrictions apply to all persons using public lands. Violations of these restrictions are punishable by a fine not to exceed \$1,000 and/or imprisonment not to exceed 12 months. Exceptions to the following visitor restrictions may be permitted by the authorized officer subject to limits and restrictions of controlling Federal and State law. Persons granted use exemptions must possess written authorization from the BLM Office having jurisdiction over the area. Users

must further comply with the zoning, permitting, rules, or regulatory requirements of other agencies, where applicable.

Dated: May 4, 1995.

Michael L. Menge,

Acting District Manager.

[FR Doc. 95–11475 Filed 5–9–95; 8:45 am]

BILLING CODE 4310–FB–M]

[ID–942–7130–00–7693]

Idaho: Filing of Plats of Survey; Idaho

The plat of the following described land was officially filed in the Idaho State Office, Bureau of Land Management, Boise, Idaho, effective 9:00 a.m., May 1, 1995.

The plat representing the dependent resurvey of a portion of the subdivision of section 23 and the survey lot 2, T. 5 S., R. 34 E., Boise Meridian, Idaho, Group No. 922, was accepted, May 1, 1995.

This survey was executed to meet certain administrative needs of the Bureau of Indian Affairs, Fort Hall Agency to identify certain Indian Allotment boundaries and to support its land sale program.

All inquiries concerning the survey of the above described land must be sent to Chief, Branch of Cadastral Survey, Idaho State Office, Bureau of Land Management, 3380 Americana Terrace, Boise, Idaho 83706.

Dated: May 1, 1995.

Duane E. Olsen,

Chief Cadastral Surveyor for Idaho.

[FR Doc. 95–11454 Filed 5–9–95; 8:45 am]

BILLING CODE 4310–GG–M]

National Park Service

National Register of Historic Places; Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before April 29, 1995. Pursuant to § 60.13 of 36 CFR Part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, National Park Service, P.O. Box 37127, Washington, DC 20013–7127. Written comments should be submitted by May 25, 1995.

Jan Townsend,

Acting Chief of Registration, National Register.

ARKANSAS

Baxter County